

ORDINANCE NO 101

AN ORDINANCE REGULATING THE USE OF STREETS, HIGHWAYS, AND PUBLIC ALLEYS WITHIN THE CITY OF HOKAH, MINNESOTA, INCORPORATING CERTAIN PROVISIONS OF THE HIGHWAY TRAFFIC REGULATION ACT OF THE STATE OF MINNESOTA BY REFERENCE, ESTABLISHING PARKING TIME LIMITATIONS, PROVIDING FOR OTHER TRAFFIC REGULATIONS, PROVIDING FOR THE IMPOUNDING OF VEHICLES AND THE DISPOSITION THEREOF, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF AND REPEALING ORDINANCE NO. 51 AND ORDINANCE NO. 67 OF SAID CITY.

THE CITY COUNCIL OF THE CITY OF HOKAH, HOUSTON COUNTY, MINNESOTA, ORDAINS AS FOLLOWS:

SECTION I. INCORPORATION BY REFERENCE OF CERTAIN PROVISIONS OF MINNESOTA HIGHWAY TRAFFIC REGULATION ACT.

The regulatory provisions of Chapter 169 Minnesota General Statutes, as amended are hereby adopted as the traffic ordinance regulating the use of highways, streets, and alleys within the City of Hokah, Minnesota, and are hereby incorporated in and made a part of this ordinance as fully and completely as if the same were set out heart in full.

SECTION II. THROUGH STREETS AND STOP SIGNS.

Every drive of a vehicle shall bring his vehicle to a full stop before entering or crossing any through street or highway or stop intersection properly designated and posted as such. The city council of said City may by resolution designate any street or highway as a through street, any intersection as a stop intersection, provide for no parking areas and limited parking areas where necessary to preserve the free flow of traffic and to prevent accidents and shall cause appropriate signs to be erected at the entrance of such streets and highways and at such intersections.

SECTION III. PARALLEL PARKING.

On all streets and alleys in said City the stopping or parking of vehicles shall be parallel as provide by Section 169.35, Minnesota General Statutes, as incorporated into this ordinance by reference in Section I above.

SECTION IV. PARKING OF CERTAIN VEHICLES RESTRICTED.

None of the following described vehicles shall be parked on any street or highway in said City at any time between 10:00 o'clock P.M. and 5:30 o'clock A.M. the following morning nor at any time between 10:00 o'clock P.M Saturday and 5:30 o'clock A.M. the following Monday:

1. Dump trucks, tractors, semi-trailers, trucktractors, or any heavy machinery or equipments.
2. Farm machinery or mobile homes.
3. Anything hazardous or dangerous.

SECTION V. 48 HOUR PARKING LIMITATION

No vehicle shall be stopped or parked for more than 48 consecutive hours on any street or highway in said City. For the purposes of this section, any vehicle moved a distance of less than one block, or less than 400 feet on streets having blocks greater than 400 feet in length, during the limited parking period shall be deemed to have remained stationary. It shall be unlawful for any person to obliterate, erase or remove any mark or sign places on a vehicle by a police officer for the purpose of measuring the length of time such vehicle was parked.

SECTION VI. ALLEY NO THROUGH TRAFFICE/PARKING RESTRICTED.

No public alley shall be used for through traffic. Each public alley shall be used only for ingress and egress for property abutting the alley and for making pickups and deliveries at properties abutting the alley; and no vehicle shall be stopped or parked on a public alley for a longer continuous period of time than one hour. For the purpose of this section, any vehicle moved a distance of less than one block or less than 400 feet, during the limited parking period shall be deemed to have remained stationary. It shall be unlawful for any person to obliterate, erase or remove any mark or sign placed on a vehicle by a police officer for the purpose of measuring the length of time such vehicle is parked.

SECTION VII. PROHIBITED PARKING PURPOSES.

No vehicle shall be stopped or parked on a street, highway, or public alley in said City for the purpose of displaying it for sale or doing maintenance work on it or making repairs to it, except immediate emergency repairs.

SECTION VIII. OWNER RESPONSIBLE

The presence of a vehicle in or upon any public street, alley, or highway in the City, stopped, standing or parked in violation of this Ordinance shall be prima facie evidence that the person in whose name such vehicle is registered as owner committed or authorized the commission of such violation.

SECTION IX. PARKING DURING SNOW REMOVAL

Upon notice by an official or employee of the City of Hokah, or when posted by special signs, no person shall park a motor vehicle on a street, highway, or alley in the City of Hokah until the snow removal on said street, highway or alley has been completed.

SECTION X. IMPOUNDING VEHICLES.

Any vehicle which is left parked or standing in violation of this Ordinance is hereby declared to be a nuisance, and the same may be summarily abated by or under the direction of or at the request of a police officer by removing and impounding or storing such vehicle in an appropriate place by means of towing or otherwise and shall only be

surrendered to the duly identified owner thereof or his agent upon the payment of all necessary costs and expenses of towing, removing and storage thereof.

Any vehicle found upon the streets, highways, or alleys or public grounds in said City in such a damaged condition as a result of an accident or disrepair that it cannot be driven and so located as to constitute an obstruction of the highway, street, alley, or other public ground, may be removed and impounded and stored in an appropriate place by or under the direction of or at the request of a police officer by means of towing or otherwise, and shall only be surrendered to the duly identified owner thereof or his agent upon the payment of the necessary costs and expenses of towing, removing and storing the same. The impounding of a vehicle pursuant to this ordinance shall not prevent or preclude the institution and prosecution of proceedings for violation of this ordinance against the owner or operator or such impounded vehicle.

The City of Hokah shall not be responsible for any damage to any vehicle removed and impounded in accordance with the provisions of this ordinance.

SECTION XI. PENALTIES.

Any violation of any of the provisions of Chapter 169, Minnesota General Statutes, as amended, adopted by reference in this Ordinance is a violation of this ordinance when the violation occurs within the city of Hokah, Minnesota. Except as provided in Chapter 169 of Minnesota General Statutes, as amended, any person violating any provision of this ordinance shall be guilty of a petty misdemeanor and shall be punished by a fine not to exceed \$100.00. If a misdemeanor fine of \$500.00 and/or 90 days imprisonment is prescribed by the provisions of Chapter 169, Minnesota General Statutes, as amended, hereby adopted by reference, such penalty for such offense shall apply to a person convicted of the same offense under this ordinance.

SECTION XII. REPEAL.

Hokah Ordinance nos. 51 and 67 are hereby repealed.

SECTION XIII. EFFECTIVE DATE.

This Ordinance shall be in full force and effect from and after its passage and adoption and its publication as provide by law.

Passed and adopted by the City Council of the city of Hokah, Houston County, Minnesota, this 16th day of February, 1978,

Harley Kuhlmann
Mayor

Attest
Ernest Sloan
City Clerk/Administrator.